

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

<p>In Re: JOSEPH WOJCICKI,</p> <p style="text-align: center;">Complaint/Petitioner,</p> <p style="text-align: center;">Vs.</p> <p>AT&T</p> <p style="text-align: center;">Defendant/Respondent</p>	<p>Docket No. 2010-328-CEG</p> <p>Complaint/Petitioner's Response/ Opposition</p> <p style="text-align: center;">to</p> <p style="text-align: center;">AT&T MOTION TO DISMISS</p> <p style="text-align: center;">With CERTIFICATE OF SERVICE</p>
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INTRODUCTION.

Mr. Turner's Motion and Ms. Hudson opinion are very harmful attempts to postpone independent investigation in such serious explosion hazard as it is existing now from AT&T VRAD installations, located all over the SC and the USA territories. This case MUST be conducted in the interest of the national security without any legal tricks and delays.

FACTS

1. This case MUST be analyzed using **Laws of Nature** first, not Rules and Regulations created by humans
2. Disrespecting Engineering Codes and facts of VRAD explosions at the beginning of AT&T U-verse project (with VRAD installations as its hardware) could be then seen as a technical negligence. Now it becomes the **CRIMINAL NEGLIGENCE**.
3. AT&T installed their VRAD stations in South Carolina (1,300 of them – AT&T source) even without property owners' approvals. Public Service Commission of South Carolina ("PSC") MUST judge AT&T and force them to corrective actions and/or recall their hazardous "explosion detonators". California Public Utilities Commission ("CPUC") took action after natural gas explosion in San Bruno on 2010-9-9 opening eyes on existing another dangerous hazard zones.

4. All parties in PSC docket No. 2919-328-C (or as suggested 2010-328-CEG) must recognize, respect and follow Claimant's professional knowledge in the scope of revealed hazard of explosion and destructive fire, with all consequences for SC and USA (at least 17,000 VRAD installed) people wherever AT&T installed their VRADs.
5. Simple logic with national security focus must put Claimant in the leading position in any serious investigation initiated by SC authorities with PSC as a leading and responsible institution in this case. Today, PSC of South Carolina maybe / should be a national leader to prevent possible explosions and fires and set necessary protections

Mr. TURNER'S MOTION dated 2010-10-13.

1. The author of AT&T Motion – Mr. Patrick W. Turner ("Turner") has broken several of South Carolina Rules of Professional Conduct, including his anti-public safety action, working to avoid and/or postpone any independent investigation. The legal profession and its ethics require that members of the legal profession should initiate disciplinary investigation to avoid themselves a professional offense.
2. This (AT&T?) Motion represents completely lack of technical knowledge and sometime common sense. Page 2 is a good proof of it. Beside false statements AT&T, reveal their ignorance in Engineering Codes that apply to their project.
3. Claimant was never informed about start – construction - neither inspection time. There were still chances to stop and correct mistakes that were repeated in other locations. Especially by ignoring the effect of explosion – fire hazard introduced by their VRAD installations. Everybody should see that some VRAD have become the kind of explosion detonators.
4. Mr. Turner has not presented any alibi in San Bruno case – no maps indicating absents of VRADs in the "electrical vicinity around gas pipelines".
5. It is AT&T idiotic / self-distracting arrogance to reject Claimant's (Joseph Wojcicki's) "helping hands" and his professional knowledge in this subject, offered in 2008 and also now.

Further, this process must be conducted in engineering/technical way not in the legal. This Complaint/Petitioner action should have support from California Public Utility Commission and US Senators, Boxer and Feinstein, in their last days' activities.

Ms. HUDSON'S LETTER dated 2010-10-4.

1. Above letter with its attachments was never served to me (Claimant).
2. Ms. Hudson also broke SC Bar Standards of Professionalism – Statement of Principles. She also misrepresents Office of Regulatory Staff of South Carolina ("ORS"). As stated:

"The ORS is charged with representing the public interest of South Carolina in utility regulation for the major utility industries -- electric, natural gas, telecommunications, water/wastewater, and transportation -- before the PSC, the court system, the S.C. General Assembly, and federal regulatory bodies. The ORS also has responsibility for oversight of railroad safety and natural gas pipeline safety in South Carolina." See ORS website <http://regulatorystaff.sc.gov/ORSContent.asp?pageID=633&menuID=415>

3. Her letter addressed to Jocelyn G. Boyd, Esquire of PSC represent a lack of this big national problem understanding. In general, she presents ORS as a group of people that has nothing learned since, at least 2009, in national safety – in natural gas industry; within national security. Noted: some comments to AT&T report on VRAD explosions in 2007 have seen them as having a serious "terrorism" aspect.
4. What was the reason to attach pictures of AT&T VRADs at East Steele Road where hazard is underground not "in the air"? So measurements are in dispute. It's childish.
5. Ms Hudson informing about my "inactive [gas] service" seems to request me to: (a) never use it e.g. for heating, or (b) remove pipes on my cost because they are still filled with the gas and may have leakages. Where is here the logic to refuse the "relief"?
6. She is known to start some serious cases with "motion to dismiss" or later "to stipulate with utilities". In both situations, her actions are against *representing the public interest of South Carolina in utility regulation*. In past even her "expert panels" had not represented public interest, e.g. in smart grid, unnecessary permits for huge water withdrawals from Broad River, ignorance of public inputs in so-called stipulations.

CONCLUSION

PSC is the rulemaking body. Ask somebody else (beside Ms. Hudson) from ORS about this. The present national situation gives PSC more authority, not the limited jurisdiction. Example: CPUC.

All Mr. Turner's arguments are not valid in today's USA situation. Cited legal "excuses" are old (e.g. dated 1992) from fatal "ancient deregulation epoch". Even his first Argument "the Commission must consider only the allegations set forth in the Complaint..." must not limit any other findings in the serious independent investigation. Complainant reserves these rights.

AT&T Motion is completely out of signaled big national security problem and must be immediately stopped in this well-known decision delay tactics. Accepted vacancy does not act in the interest of national safety.

It is sad that Ms. Hudson does try to eliminate ORS from the process. This would leave PSC without expected support. It seems the only support, right now Commission has

from Claimant. You may add such stigma as “whistle-blower, concern citizen, professor, or other expressions” to Claimant name but you must give him cooperation and rights as the only one visible expert in this subject now. Maybe it would be a proper action to invite others to this case. At least listed as the ORS opinion recipients. Maybe Gas /Fuel Distributors / Transmission Lines’ Operators, T. Boone Pickens’ Army too.

This case is in professional and in public interest. With criminal negligence aspect may not be dismissed.

Certificate of Service

I, Joseph Wojcicki, hereby certify that I served the following counsel of record with the above letter, by mailing originals of same, postage prepaid and return address clearly indicated, to the following on this 14th Day of October 2010. Both originals are signed by **Complainant/Petitioner**.

Patrick W. Turner BellSouth Telecommunications, Incorporated 1600 Williams Street, Suite 5200 Columbia, SC 29201	Jocelyn G. Boyd Public Service Commission of SC PO Drawer 11649 Columbia, SC 29211
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Above is also e-mailed to: pt1285@att.com, cdscott@regstaff.sc.gov , darnett@regstaff.sc.gov, contact@psc.sc.gov

Respectfully submitted,

Joseph Wojcicki - MSEE.

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2010 October 14